

Application No. 09/684,053
Amendment "A" dated June 1, 2004
Reply to Office Action mailed March 1, 2004

REMARKS

The first Office Action, mailed March 1, 2004, considered and rejected claims 1-24. Claims 1-4, 6, 10-18, 20 and 24 were rejected under 35 U.S.C. § 102(e) as being anticipated by Barrett (U.S. Patent No. 6,611,876), while claims 5 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Barrett further in view of Fox (U.S. Patent No. 6,654,786)¹. Claims 3, 12-13 and 17 were also objected to for certain informalities which have been corrected herein.

By this paper, claims 1, 3, 12-13, 14, 16-24 have been amended, claim 15 has been cancelled and new claim 25 has been added.² Accordingly, claims 1-14 and 16-25 remain pending, of which claims 1, 10, 14 and 23 are the independent claims at issue.

Claim 1 is generally directed to a method in which a proxy server acts as an agent for a wireless device so as to preserve the limited bandwidth of the wireless network over which they communicate. As recited, the method includes having the proxy server determine that a service is to be provided to a wireless device. Thereafter, the proxy server identifies and communicates with an application that is configured to provide the service. The proxy server then compiles and transmits the results of the communication with the application to the wireless device over the limited bandwidth wireless network. It will be appreciated that in this manner, the wireless device is spared having to interface directly with the identified application over the limited bandwidth wireless network.

Claim 14 is directed to a similar method, but wherein the proxy server identifies a plurality of applications that are configured to provide the desired service. The proxy server then compiles results of the various communications with the plurality of applications into a compilation that is sent to the wireless device over the wireless network.

The last two independent claims, 10 and 23, are directed to corresponding computer program products having computer-executable instructions for implementing the methods recited in claims 1 and 14, respectively.

¹ Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

² Dependent claims 3, 12-13 and 17 have been amended to provide proper antecedent basis for terms that were objected to for lacking proper antecedent basis. Amendments have also been made to dependent claims 16-23 to provide proper claim dependency. Independent claims 10 and 23 have been amended to more succinctly recite computer program products having computer-executable instructions for implementing the methods recited in claims 1 and 14, respectively.

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The primary reference that is used to reject the claims, Barrett, is generally directed to a method and system for establishing and facilitating intermediate data caching so that processed/stored information can be shared, thereby obviating redundant processing. (Abstract; Col. 1, ll. 9-12).

As disclosed in Barrett, a response for a client request can require numerous intermediate steps. (Col. 2, ll. 3-4). It is also disclosed that "it is desirable to re-use the output of these intermediate steps, because many requests (from different clients) will likely contain steps in common and, because the overhead of regenerating like output can be avoided by providing a caching mechanism. Likewise, a given client may make a request for the same resource that was requested in the recent past." (Col. 2, ll. 5-11).

Appropriately, Barrett teaches of methods for caching data so that computations and processing does not have to be repeated when unnecessary, particularly in the domain of transcoding data from the Web. Col. 2, ll. 40-46.

Barrett does not, however, disclose or suggest a method for causing a proxy server to act as an agent for a wireless device so as to preserve the limited bandwidth of the wireless network over which they communicate. In particular, Barrett fails to disclose or suggest any method in which a proxy server determines that a service is to be provided to a wireless device and thereafter identifies and communicates with one or more applications that provide that service, wherein the proxy server subsequently compiles and transmits the results of the communication to the wireless device over the limited bandwidth wireless network, and in such a way that the wireless device is spared having to interface directly with the identified application over the limited bandwidth wireless network, as recited in the pending claims.

In fact, Barrett does not even disclose an environment in which a proxy server services wireless devices over a wireless network, as claimed. Barrett also fails to disclose having a proxy server identify and interface with applications that are configured to provide a service, rather than requiring the wireless device to interface with the applications directly, thereby preserving the limited bandwidth of the wireless network and the processing capacity of the wireless device. Instead, Barrett resolves a different problem, of duplicating processing efforts, by caching resources for subsequent client access so that the resources don't have to be generated for each request. (Col. 7, ll. 41-52; Col. 8, ll. 28-37).

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With particular regard to claim 14, Barrett also fails to disclose that a proxy server communicates with a plurality of applications and thereafter compiles and transmits the results of the communications to a wireless device over a wireless network.

Finally, with regard to new dependent claim 25, Barrett also fails to disclose that the proxy server communicates with applications over a relatively high bandwidth network as compared to the low bandwidth wireless network that is used for communications between the wireless device and the proxy server.

For at least the foregoing reasons, Applicants respectfully submit that the pending claims are neither anticipated by nor made obvious by Barrett.

The disclosure cited from the secondary reference, Fox, also fails to teach or suggest these claim elements, either singly or in combination with Barrett. Instead, Fox was merely cited for the proposition that instant messaging is a service that can be provided in a server-client environment.

Other services that are known to be provided in a server-client environment include customized page services, reservation service and bidding services³, as claimed. However, the art of record does not make it obvious to provide any of these services, including instant messaging, in the manner recited in the claims, for at least the reasons recited above with regard to independent claims 1 and 14.

If the Examiner continues to reject the claims, based on Barrett, Applicants respectfully request that the Examiner specify which elements in Barrett are considered to be analogous with the recited claim elements so that Applicants will have a fair opportunity to respond to the rejections. For example, with regard to the recited act in claim 4 of the "proxy server submitting a plurality of separate communications to the application," the Examiner has stated that "Barrett's proxy server is able to accept multiple requests from different client devices and return responses to each of them." (Page 4, #7). This assertion, however, insinuates that the Examiner considers Barrett's 'client requests' and/or 'returned responses' to be analogous with the claimed 'proxy communications to the applications'. This assertion could also be interpreted as suggesting the Examiner considers the 'client devices' to be analogous with the recited

³ The Examiner took Official Notice that these services are well-known in the art. However, for at least the reasons provided herein, Applicants respectfully submit that it was not obvious or known to provide these services in the manner claimed at the time of the invention.

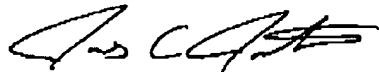
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'applications,' which is surely not the Examiner's intent. Accordingly, because of this confusion, Applicants respectfully request clarification as to which elements in Barrett the Examiner considers to be analogous with the recited claim elements (e.g., application, wireless device, communication, compilation), so as to provide the Applicants a fair opportunity to respond to any future rejections.

In summary, Applicants respectfully submit that the pending claims 1-14 and 16-25 are in condition for prompt allowance for at least the reasons recited above. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 1 day of June 2004.

Respectfully submitted,



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